IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

OP.No. 8499 of 2002(J)

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PETITIONER:

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ABDUL AZEEZ.K.M. S/O.MOIDEENKUTY,
UNIT PRESIDENT, KERALA STATE SUNNI STUDENTS
FEDERATION, BAPALIPONAM UNIT COMMITTEEM OFFICE,
POST ARIYAPPADY, RESIDIGNG AT KULAMARUVA HOUSE,
(PO) KUNTIKANA, (VIA) PERDELA,
KASARAGOD DISTRICT.

BY ADV. SRI.D.KRISHNA PRASAD
SRI.D.NARENDRANATH
SRI.JOJI VARGHESE
SRI.M.HARISHARMA
SRI.T.P.ELDHOSE

RESPONDENTS:

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1. BADIADKA GRAMA PANCHAT,POST PERDALA,
REPRESENTED BY ITS SECRTARY.

2. THE PRESIDENT,
BADIADKA GRAMA PANCHAYAT,
POST PERDALA.

3. KHALID.B.M. S/O.KUNHIPPA, CONVENOR-
CULVERT CONSTRUCTION WORK COMMITTEE,
BADIADKA GRAMA PANCHAYAT,RESIDING AT
BAPLIPANAM HOUSE, POST ARIYAPPADY.

4. STATE OF KERALA,REPRESENTED BY ITS
SECRETARY,LOCLAL ADMINISTRATION
DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

BY ADV. SRI.M.V.BOSE, S.C.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 08/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

O.P.NO.8499/2002

ORDER ON C.M.P.NO.15199/2002 IN O.P.NO.8499/2002

DISMISSED

8.3.2007 SD/- C.N.RAMACHANDRAN NAIR, JUDGE

/TRUE COPY/

P.A. TO JUDGE

**C.N.RAMACHANDRAN NAIR, J**

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O.P.No.8499 of 2002

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Dated this the 8th day of March, 2007

**JUDGMENT**

Petitioner filed this O.P. apprehending construction of a culvert by the Panchayath causing obstruction for passage to the petitioner's building. I cannot visualise obstruction for passage to the building because culvert is constructed at road level for drainage and other purposes. There was an interim order authorising the Panchayath to proceed with the construction but it was directed that the petitioners entry to the building shall not be blocked. O.P. is closed making interim order as part of the judgment. If any construction is required to connect the road with the petitioner's building, the Panchayath should permit such construction by petitioner so that access from the road is available to petitioner's building.

The O.P. is closed as above.

**C.N.RAMACHANDRAN NAIR,**
**JUDGE**

csl